

Perspectives on the Treaty of Waitangi

"The Treaty of Waitangi is a confusing document that the Maori did not understand when they signed it"

The Treaty of Waitangi (*Te Tiriti o Waitangi*), first signed on 6 February 1840, is widely regarded as New Zealand's founding document. However, the Treaty itself is very much a subject of debate today due a number of reasons including the significant mistranslations between the English and Maori text - in essence there was no consensus on what exactly was agreed to between the Pakeha and the Maori...

One perspective is that of the website <http://nzhistory.net.nz>, a modern day, neutral perspective of the Treaty. This website offers a general overview on the Treaty and its signing, as well as maintaining neutrality through carefully explaining the discrepancies between the Maori version and the English version of the Treaty. For example 'The Treaty in Maori was deemed to convey the meaning of the English version, but there are important differences. Most significantly, the word 'sovereignty' was translated as 'kawanatanga' (governance). Some Maori believed they were giving up government over their lands but retaining the right to manage their own affairs'.

Another example of the neutral viewpoint held in the source is 'Hobson and others stressed the Treaty's benefits, while playing down the effects of British sovereignty on rangatiratanga (chiefly authority). Reassured that their status would be strengthened, many chiefs supported the agreement'. This quotation states how the British presented the Treaty to Maori and how Maori may not have understood fully what they were signing. While this may demonstrate a negative view on whether or not the Maori fully understood what they were signing, as a whole this text does not use hyperbole, nor does it appear biased towards one side in particular.

A second perspective on the signing of the Treaty is that found in a textbook from the 1940s entitled 'Our Nation's Story'. It is an overwhelmingly positive view of the Treaty and praises many aspects of it. For example 'To this day it remained the fairest Treaty ever made between Europeans and a native race; indeed, in many ways it was much fairer to brown man than to white', and 'At first some of the chiefs did not wish to sign the Treaty, but one of them, Tamati Waka Nene, made a splendid speech in which he told the Maoris that he was sure the Queen wished only to be their friend'.

These quotations show clear signs of bias and they suggest that the Maori were getting a fair deal in signing the Treaty. It has some words that are exaggerated, such as 'fairest' and this source does not offer the views of those who did not want to sign the Treaty.

Another perspective on the Treaty is that of the modern Maori historian Ranganui Walker, in his book 'Ka Whawhai Tonu Matou'. He held a staunch anti-Treaty view and believes that the Maori did not understand what they were signing. For example he states 'The first draft was translated by Henry Williams while Hobson spent more time revising the document. The outcome of these combined efforts was four English versions and a translation into Maori which matched none of them. The English version from which the translation was made has yet to be found'. There are some elements of humour in his perspective and his overall view is disapproving of the British, in that the copies of the Treaty were different between the languages. He expands on this further in the book: 'The word kawanatanga did not convey to the Maori a precise definition of sovereignty. Had the word mana been used, no Maori would have any doubt about what was being ceded'. He believes that the Treaty is confusing and that the Maori did not understand what it meant when they signed it and continues to offer what he believes the Maori version should have said when translated from the English version. He finishes by stating 'But even greater deceptions lay ahead over the next 150 years'. This statement infers that he believes that the Treaty deceived the Maori and that they would continue to be deceived by the British in the years after the Treaty's signing.

More different perspectives on the Treaty are offered in *The Treaty of Waitangi Companion*, edited by O'Malley, Stirling and Penetito, including both historical and modern perspectives as well as from different ethnicities. The first of these is one from a January 1841 journal, in which the Maori Chief Nopera Panakareao revises his famous statement from the Kaitia signing ceremony. 'Noble [Nopera Panakareao] and all the chiefs are much dissatisfied with the Govrs [sic] proceedings; he says he thought the shadow of the land only would go to the Queen and the substance remain with them, but now he fears the substance of it will go to them and the shadow only be their portion'. This statement is in reference to his earlier quote: 'Only the shadow of the land passes to the Queen. The substance stays with us, the Maori people'. It is immediately obvious how his views had changed from being pro-Treaty to anti-Treaty since the signing of it and this change in views demonstrates how the Treaty may have been confusing to Maori.

The second source in the book comes from the British Secretary of State for the Colonies, Lord Stanley, in a letter addressed to the Officer Administering the Government in June 1845. 'I repudiate with the utmost possible earnestness, the doctrine maintained by some that the treaties which we have entered into with these people are to be considered as a mere blind to amuse and deceive ignorant savages. In the name of the Queen I utterly deny that any treaty entered into and ratified by Her Majesty's command, was or could have been in a spirit thus disingenuous, or for a purpose thus unworthy. You will honourably and scrupulously fulfill the conditions of the Treaty of Waitangi.'

In this source, Lord Stanley believes that the Treaty was not designed to deceive the Maori - 'a mere blind to amuse and deceive ignorant savages', nor could it have been unworthy as it has been 'ratified by Her Majesty's command'. He believes that the Maori understood what they were signing and that the British had to 'honourably and scrupulously fulfill the conditions of the Treaty of Waitangi'.

The third source in this book is from the Governor of the New Zealand Company, which was settling parts of New Zealand. The Company was trying to establish large colonies in New Zealand and were pressuring the British government to introduce some form of government. In a letter from the Company's Governor Joseph Somes to Lord Stanley in January 1843, he stated 'We have always had very serious doubts whether the Treaty of Waitangi, made with naked savages by a Consul invested with no plenipotentiary powers, without ratification by the Crown, could be treated by lawyers as anything but a praiseworthy device for amusing and pacifying savages for the moment.'

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Somes (and the Company) did not believe that the Treaty would have any substantial effect on the Maori except in the short term.

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These many perspectives share both similarities and differences, between the different time periods and ethnicities. For example the positive views are predominantly from Europeans (1940s Textbook, Lord Stanley), whereas the negative views are predominantly Maori (Ranganui Walker, Nopera Panakareao). This is because, according to the English version of the text, the Maori were ceding more power (among other rights) to the British, whereas the Maori version suggested that much more power was retained by the Maori chiefs. The feeling that the Maori were worse off today is both mentioned historically by Nopera Panakareao around the signing of the Treaty and by modern day historians such as Ranganui Walker.

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Their main arguments are that the Maori did not fully understand what the British were wanting from them..

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However, not all of the negative views were from Maori people. The view presented by Somes of the New Zealand Company was negative towards the Treaty, and he viewed it as only a temporary fix. This view may have been held by other Europeans who were not satisfied with the Treaty, including those that were living in colonies established by the Company.

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The positive views, held predominantly by Europeans, state that the Treaty was very fair toward the natives of New Zealand when compared to treaties made by the British with other native races and that the Crown would not have signed a Treaty that was deemed to be unworthy or disingenuous (insincere).

The views held between the time of the signing and the modern day have not changed much. In fact the Treaty is still widely debated today due to the confusing nature of the document. The historical views of whether or not the Treaty was fair are still argued by different sides today. However, regardless of the fairness of the document, both sides tend to agree that it was a confusing document, due to the mis-translations between the English and the Maori version as stated on <http://nzhistory.net.nz>. The Treaty in Maori was deemed to convey the meaning of the English version, but there are important differences'.

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The perspective that I support is the neutral view presented by <http://nzhistory.net.nz> and Robert Fitzroy.

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This is because across almost all of the perspectives from different ages and ethnicities, the general view was that the Treaty was a confusing document and that the Maori may not have fully understood what they were signing. I did not agree with the negative view presented by Ranganui Walker. Walker stated that he thought that some of the mistranslation was on purpose, as the translator (Henry Williams) may have known that the Maori chiefs may not have signed the Treaty had the translation been accurate. I do not believe this, as according to a number of sources (including Walker's) the Treaty was written and translated in a few days and the translator Williams believed that the Maori should be protected from fraudulent dealings by the Europeans and his understanding of Maori was limited. In essence, I believe that the confusion caused by the Treaty was due to the short time period in which the Treaty was drafted, written and translated. To me, this source presents the most convincing view on the signing of the Treaty of Waitangi due to the lack of emotive words (which often indicate bias) and how evidence from both sides of the debate is presented. It also talks about the effects of the Treaty, how it is viewed today in society and parliament, it acknowledges the confusing nature of the document and also where the confusion may have occurred.

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